

## **BILL ANALYSIS**

Senate Research Center

H.B. 406  
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Criminal Justice  
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Engrossed

### **DIGEST AND PURPOSE**

Under current law, a person accused or convicted of a crime is prohibited from selling his or her account of the crime through a movie, book, magazine article, recording, radio interview, or television interview. However, current law does not prohibit a person accused or convicted of a crime from profiting from an account of the crime through a web site or telephone service such as a 1-900 number. H.B. 406 prohibits a person accused or convicted of a crime from profiting by selling accounts of the crime through telephone services and electronic media.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Article 59.01(7), Code of Criminal Procedure, to redefine "proceeds" to include telephone service and electronic media format, including an Internet website, as sources of income a person accused or convicted of a crime or the person's representative or assignee receives.

SECTION 2. Amends Article 59.06 (k) (1), Code of Criminal Procedure, to require the attorney for the state to transfer all forfeited property that is income from, or acquired with the income from, a movie, book, magazine article, tape recording, phonographic record, radio or television presentation, telephone service, electronic media format, including an Internet website, or live entertainment in which a crime is reenacted to the attorney general.

SECTION 3. Effective date: September 1, 2003.